

## **EXECUTIVE ORDER 18-01 FOR REGIONAL EMERGENCIES**

### **Conditional and Temporary Relief from Motor Carrier Rules and Regulations**

**WHEREAS**, K.S.A. 48-925(b) provides that the Governor may issue orders and proclamations which shall have the force and effect of law under subsection (b) of K.S.A. 48-924; and

**WHEREAS**, Severe winter cold, in the midwest and upper midwest, has caused an interruption to the delivery of propane fuel, which is essential for home heating and agricultural uses; and

**WHEREAS**, These conditions require the operation of motor carriers and drivers of commercial motor vehicles for the purposes of providing direct assistance to supplement State and local efforts in the restoration of services and relief in the affected area(s) of the State of Kansas; and

**WHEREAS**, This disaster has caused or threatens to cause an emergency as defined in 49 C.F.R. 390.5, as adopted by K.A.R. 82-4-3f and which has or threatens to interrupt the delivery of essential services or essential supplies or otherwise immediately threatens physical harm or injury to persons, the public welfare and/or substantial damage to property.

**NOW, THEREFORE**, pursuant to the authority vested in me as Governor of the State of Kansas, I hereby acknowledge a state of emergency exists in Kansas and declare it necessary to assist and expedite all disaster recovery efforts. In order to accommodate this need and to provide assistance to the citizens of Kansas in this emergency situation, I hereby order the following:

1. This declaration applies to motor carriers directly participating in relief efforts; and
2. In accordance with Title 49 C.F.R. § 390.23, the requirements contained in the Federal Motor Carrier Safety Regulations, Title 49 C.F.R. Parts 390-399 are hereby suspended through the duration of the motor carrier's assistance in the disaster relief effort not to exceed a period of thirty (30) days from the date of the initial declaration unless the order is rescinded or expanded by further executive order; and
3. All other applicable state and federal regulations shall apply to include but not limited to: Title 49 C.F.R. Part 382, Controlled Substances and Alcohol Use and Testing; the Kansas Motor Vehicle Driver's License Act, K.S.A. 8-234 *et. seq.* and Title 49 C.F.R. Part 383 Commercial Driver's License Standards as adopted by the Kansas Uniform Commercial Drivers' License Act, K.S.A. 8-2,125 *et. seq.*, the federal Minimum Levels of Financial Responsibility (insurance requirements) Title 49 C.F.R. Part 387 as adopted by K.A.R. 82-4-3n and state insurance requirements as provided in K.A.R. 82-4-23; and, adherence to the regulations governing the Transportation of Hazardous Materials as provided Title 49


C.F.R. 397 and adopted by K.A.R.82-4-3k and Parts: 107, 171-173, 177, 178 and 180 as adopted by K.A.R.82-4-20.

**FURTHER**, I direct that this executive order shall become effective immediately and shall continue in effect until 11:59 PM on January 28, 2018; or until rescinded upon conditions abating, whichever is less.

This document shall be filed with the Secretary of State as Executive Order No. 18-01 and shall become effective immediately.

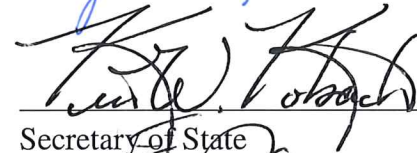
THE GOVERNOR'S OFFICE

BY THE GOVERNOR



DATED

Jan. 5, 2018



Secretary of State



Assistant Secretary of State

**FILED**

JAN 03 2018

KRIS W. KOBACH  
SECRETARY OF STATE